



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hossein A. GHANBARI et al.
Title: COMPOSITIONS CONTAINING BACTERIOPHAGES AND METHOD OF
USING BACTERIOPHAGES TO TREAT INFECTIONS
Appl. No.: 09/583,738
Filing Date: May 31, 2000
Examiner: Virginia Allen Portner
Art Unit: 1645

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated May 28, 2004, finally rejecting Claims 23-30, 33, 35-44, 47, 49, 50.

☒ [X] Applicant claims small entity status.

☒ [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ [X] Notice of Appeal Fee

☒ [X] To be paid as detailed below

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The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$340.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$980.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1320.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$660.00
	TOTAL FEE:	\$660.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$1144.00 is being submitted concurrently with the Amendment Transmittal, covering the Amendment, Extension and Appeal Fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 29, 2004

By Michele M. Simkin

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